

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- C. The Use Permit for the use shall expire if the use is discontinued for a period of one year or more.
- D. The Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to the expiration date.
- E. The activities, hours of operation, frequency, and maximum number of practitioners shall not exceed those listed in the report. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Planning Commission.
- F. This Use Permit shall be restricted to three years from the date of occupancy, or four years from the date of Planning approval, whichever is less. To continue the use on the site, the applicant must then apply to the Planning Commission for another Use Permit which will include an analysis of impacts of the currently proposed use on the existing and neighboring sites. The applicant is advised to apply for the new Use Permit at least 3 months prior to the expiration date of this Use Permit to allow for continuity of use.
- G. Out-of door loudspeakers are prohibited.

- H. To address storm water runoff pollution prevention requirements, an Impervious Surface Calculation worksheet is required to be completed and submitted for the California Regional Water Quality Control Board prior to issuance of a Building Permit.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Development Permit from the Department of Public Works for all proposed off-site improvements.
- B. Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit.

3. EXTERIOR EQUIPMENT

- A. Individual air conditioning units shall be screened with architecture or landscaping features.
- B. Any modification or expansion of unenclosed uses shall require approval from the Director of Community Development.
- C. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.

4. LANDSCAPING

- A. Landscape and irrigation plans shall be subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy.
- B. Landscaping shall be located within new parking areas and dispersed throughout the site to improve shading for the entire site.
- C. A tree protection plan shall be submitted for any existing trees on the site. Where possible, trees shall be protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.
- D. The landscape plan shall include street trees and shall be submitted and approved per the City Arborist.

- E. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- F. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- G. All areas not required for parking, driveways or structures shall be landscaped.

5. PARKING

- A. Submit a final parking agreement detailing shared parking facilities with remaining uses on site including 965 East Arques Avenue. Final parking agreement will be recorded with the deed.

6. BICYCLE PARKING

- A. Provide bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development.

7. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. New enclosures shall be of masonry construction and shall match the exterior design, materials and color of the main building.

8. ROOF/ROOF SCREENS

- A. Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view to meet code requirements as noted in Sunnyvale Municipal Code Section 19.38.020.

9. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code.

10. RIGHT-OF-WAY IMPROVEMENTS (as approved per Parcel Map 2005-0284)

- A. Obtain a Development Permit from the Department of Public Works for improvements.
- B. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by then Department of Public Works.
- C. Any existing deficient public improvements shall be upgraded to current City standards. This would include driveway approaches (upgrade to current City Standards) and upgrades to the existing water meter (upgrade to radio-read water meter).
- D. The applicant shall install a cement pad behind the sidewalk for the bus stop bench and there shall be at least five feet of clearance between the bench and the curb. All plans shall be sent to the VTA for review and approval.
- E. The sidewalk, curb, and gutter in the public right-of-way along East Arques Avenue shall be replaced or repaired per Department of Public Works direction and standards, prior to final approval of the Parcel Map.